

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|---------------------------|---|-------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | No. 4:23 CR 006 SEP NCC |
| vs. |) | |
| |) | |
| RICKY BARFIELD, |) | |
| |) | |
| Defendant. |) | |

SUPPLEMENTAL MOTION FOR PRETRIAL DETENTION

Comes now the United States of America, by and through its Attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Ashley M. Walker, Assistant United States Attorneys for said District, and moves the Court to order Defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of Defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq. It is the government's position that the Defendant is a serious flight risk and danger to the community. As and for its grounds, the United States of America states as follows:

INTRODUCTION

Defendant is charged with an offense for which a maximum term of imprisonment of twenty years is prescribed in the Controlled Substances Act (Title 21, United States Code, Section 801, et seq.), specifically Title 21, United States Code, Section 841(a)(1).

According to ATF Investigation # 779045-23-0008, November 22, 2022, ATF and St. Charles Police Detectives conducted an undercover operation, where an undercover officer (UC), purchased fentanyl from the Defendant Ricky Barfield. Prior to the transaction the UC was provided \$1,200 from ATF cashier fund. The serial numbers on the cash were recorded and

photographed for evidence. The UC called the Defendant and they agreed to exchange one ounce of fentanyl for \$1,200. The Defendant directed the UC to the Conoco Convenience Store at 4207 Jennings Station Road in Pine Law, Missouri. The UC drove to meet the Defendant. The Defendant was spotted in a black Dodge Durango with Missouri registration XG9 X2E. The Defendant exited his vehicle and entered the right front seat of the UC's vehicle. The exchange occurred and the narcotics were taken to the lab for analysis. The narcotics were confirmed to be fentanyl with a gross weight of 23.76 grams.

On January 11, 2023, the Defendant was Indicted by a grand jury for the above referenced charge and a warrant was issued. On January 12, 2023, agents went to execute the arrest warrant of the Defendant at his girlfriend's house located at 2326 Driftwood Place, Maryland Heights, MO 63146. When agents arrived, they were given written permission by the girlfriend to search the property. In the bedroom, agents located what appeared to be a "large size golf ball" amount of fentanyl and heroin on the nightstand next to the Defendant's side of the bed. Agents also located a firearm under the mattress on the Defendant's side of a bed. Specifically, agents located a Taurus Armas, G2C, 9mm handgun. The Defendant was arrested for the warrant and for the suspected narcotics and firearm located in his home.

The Defendant was then mirandized and admitted to possession of the firearm and that he intended to sell and use the narcotics found at the scene.¹

LAW AND ARGUMENT

Section 3142 of Title 18 governs the release or detention of a defendant pending trial. Specifically, Section 3142(g) provides four factors for the Court's consideration when considering

¹ The Government anticipates there will be additional charges after lab test are completed on the suspected narcotics.

the pretrial detention of a defendant; (1) nature and circumstances of the offense charged; (2) the weight of the evidence; (3) the history and characteristics of the person; and (4) the danger to the community. Each factor weighs in favor of detention.

The nature and circumstances of this case demonstrate Defendant is a danger to the community. Specifically, the nature and circumstances of the offense include the fact that the Defendant has been charged with an intent to distribute a Schedule II controlled substance, one of the categories of offenses specifically mentioned in Section 3142(g)(1). The weight of the evidence is also significant. The Defendant sold the narcotics to a UC and this exchange was captured on video and audio.

As for the history and characteristics of Defendant, the Defendant's criminal history is extensive and includes, but is not limited to, convictions from 1996 Distribution of a Controlled Substance from St. Louis County and Possession of a Controlled Substance from St. Louis City. The Defendant also has an additional prior Possession of Controlled Substance convictions from 2000, and 2004. In 2005, the Defendant was convicted in federal court in the Eastern District of Missouri for Possession with the Intent to Distribute a Controlled Substance. The Defendant received a sentence of 108 months. Most recently, the Defendant was convicted in 2020 for the Unlawful Possession of a Firearm. Notably, the Defendant is currently on probation for that conviction.

Finally, the Defendant's prior criminal history, the nature of the underlining offense in this case, and the circumstances surrounding his arrest for the underlying offense demonstrates he is a danger to the community and a flight risk. Moreover, a rebuttable presumption arises pursuant to Title 18, United States Code, Section 3142(e)(3) that there are no conditions or combination of conditions which will reasonably assure the appearance of the defendant as required, and the safety

of any other person and the community.

WHEREFORE, the United States requests this Court to order Defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of Defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
United States Attorney

/s/ Ashley M. Walker

Ashley M. Walker, #67175(MO)
Assistant United States Attorney
111 South Tenth Street, 20th Floor
Saint Louis, Missouri 63102
ashley.walker@usdoj.gov
Telephone: (314) 539-6811
Facsimile: (314) 539-3887

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of this document was filed with the Court's electronic file management system for service upon all parties and counsel of record on January 12, 2023

s/Ashley M. Walker

ASHLEY M. WALKER, #67175MO
Assistant United States Attorney